



ATTACHMENT C

Amendments to the Claims

Please cancel claims 15-18 without prejudice or disclaimer.

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Previously Presented) An instrument for spreading at least two adjacent vertebrae and/or retaining at least two adjacent vertebrae in a spaced apart condition, comprising:

a plurality of anchor screws, each having a forward end securable to a vertebrae and a rear end remote therefrom,

a frame member comprising at least two arms, each arm having a tube at least in part encircling one of the anchor screws, and a connecting member connecting the arms for movement of the arms toward and away from each other, and

a retaining structure for securing each of the anchor screws to its respective tube.

2. (Previously Presented) An instrument according to claim 1, the retaining structure for each anchor screw engaging the rear end of the anchor screw and securely tightening it against the rear end of the tube.

3. (Original) An instrument according to claim 2, wherein the rear end of each anchor screw is threaded, and the retaining structure comprises a threaded nut which threadedly engages the rear end of the anchor screw.

4. (Original) An instrument according to claim 2, wherein the rear end of each anchor is located in a recess formed in the top of its respective tube, and the retaining structure is also located in said recess.

5. (Original) An instrument according to claim 1, wherein the connecting member comprises a connecting bar having two telescopic members, one arm connected to each of said telescopic members, such that telescopic movement of one of the telescopic members relative to the other causes the arms to move toward and away from each other.

6. (Original) An instrument according to claim 5, the inner of the two telescopic members being a toothed rod and the outer of the two telescopic members having a toothed wheel fixed thereto which engages the toothed rod for moving the two telescopic members relative to each other.

7. (Original) An instrument according to claim 6, including a releasable catch mounted on the outer of the telescopic members and engaging the teeth on the inner of the telescopic members for permitting free movement of the two telescopic members relative to each other in one direction but stopping movement of the two telescopic members relative to each other in the other direction.

8. (Original) An instrument according to claim 1, including two anchor screws securable to adjacent vertebrae, the frame member having a pair of arms, each arm having a tube encircling at least in part one of the anchor screws.

9. (Original) An instrument according to claim 8, wherein the retaining structure engages the rear end of its anchor screw and tightly engages the rear end of the tube.

10. (Original) An instrument according to claim 9, wherein the connecting member comprises two telescopic members, one arm connected to each of said telescopic members, such that telescopic movement of one of the telescopic members relative to the other causes the arms to move toward and away from each other.

11. (Original) An instrument according to claim 10, including a releasable catch mounted on the outer of the telescopic members and engaging the teeth on the inner of the telescopic members for permitting free movement of the two telescopic members relative to each other in one direction but stopping movement of the two telescopic members relative to each other in the other direction.

12. (Original) An instrument according to claim 1, the connecting member being a bar member, the two arms movable along the bar.

13. (Original) An instrument according to claim 1, including three anchor screws securable to three adjacent vertebrae, the frame member having three arms, each having a tube engaging one of the anchor screws.

14. (Original) An instrument according to claim 13, wherein the retaining structure comprises a threaded nut which threadedly engages the rear end of the anchor screw.

15-18. (Canceled)

19. (Previously Presented) An instrument according to claim 1, wherein the retaining structure is a non-threaded securing structure.

20. (Previously Presented) An instrument according to claim 19, wherein the non-threaded securing structure is a resilient cap.

21. (Previously Presented) An instrument according to claim 19, wherein the non-threaded securing structure is a bayonet-type joint.

22. (New) An instrument for spreading at least two adjacent vertebrae and/or retaining at least two adjacent vertebrae in a spaced apart condition, comprising:
a plurality of anchor screws, each having a forward end securable to a vertebrae,

a frame member comprising at least two arms and a connecting member operatively connecting said two arms for movement toward and away from each other, each of said arms having an engaging structure operatively engagable with one of said anchor screws,

each arm further including a retaining structure operatively securing the engaging structure of each arm with its respective anchor screw to essentially prevent movement of that anchor screw relative to its engaging structure.

23. (New) An instrument according to claim 22, wherein the engaging structure of each arm includes a part encircling its respective anchor screw.

24. (New) An instrument according to claim 23, wherein the retaining structure engages its respective anchor screw on the side of the encircling part remote from the vertebrae.

25. (New) An instrument according to claim 24, said retaining structure being a threaded nut engagable with a threaded part of the anchor screw.

26. (New) An instrument according to claim 24, said retaining structure being a bayonet joint.

27. (New) An instrument according to claim 24, said retaining structure being a resilient cap.

28. (New) An instrument according to claim 24, wherein the end of each anchor screw remote from its engagement with its vertebrae is located in a recess formed in the top of its respective encircling part and the retaining structure is also located in said recess.

29. (New) An instrument according to claim 22, wherein the retaining structure engages its anchor screw at an end thereof opposite from its end connected to the vertebrae.

30. (New) An instrument according to claim 29, said retaining structure being a threaded nut engagable with a threaded part of its anchor screw.

31. (New) An instrument according to claim 29, said retaining structure being a bayonet joint.

32. (New) An instrument according to claim 29, said retaining structure being a resilient cap.

33. (New) An instrument according to claim 22, wherein the connecting member comprising a connecting bar having two telescopic members, one arm connected to each of said telescopic members, such that telescopic movement of one

of the telescopic members relative to the other causes the arms to move towards and away from each other.

34. (New) An instrument according to claim 22, including two anchor screws securable to adjacent vertebrae, the frame member having a pair of arms, each arm having an engaging structure engaging one of said anchor screws.

35. (New) An instrument according to claim 22, including three anchor screws securable to three adjacent vertebrae, the frame member having at least three arms, each arm having an engaging structure engaging one of the anchor screws.